

DECLARATION AND POWER OF ATTORNEY

Attorney Docket No: A029 1080

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe:

☒ I am the original, first and sole inventor

☐ I am an original, first and joint inventor

of the subject matter which is claimed and for which a patent is sought on the invention entitled
"METHOD OF PLASMA ENHANCED CHEMICAL VAPOR DEPOSITION OF DIAMOND, the
specification of which:

☒ is attached hereto.

☒ provision application was filed on February 10, 1999 as Application
Serial No. 60/119,771.

I hereby state that I have reviewed and understand the contents of the above-identified
specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this
application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119 of any United States
provisional patent application, foreign application(s) for patent or inventor's certificate listed below and
have also identified below any United States provisional patent application, foreign application for patent
or inventor's certificate having a filing date before that of the above-identified application on which
priority is claimed: N/A

I hereby claim the benefit under Title 35, United States Code, §120 of any United States patent
application(s) listed below and, insofar as the subject matter of each of the claims of this application is
not disclosed in the prior United States application in the manner provided by the first paragraph of Title
35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title
37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application
and the national or PCT international filing date of this application:

As a named inventor, I hereby appoint the following attorneys to prosecute this application and to
transact all business in the Patent and Trademark Office connected therewith.

Louis T. Isaf
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Judy C. Jarecki-Black, Ph.D.

Reg. No. 29,078
Reg. No. 31,889
Reg. No. 32,472
Reg. No. 34,026
Reg. No. 34,562
Reg. No. 32,497
Reg. No. 44,393
Reg. No. 36,665
Reg. No. 39,540
Reg. No. 44,170

ATLANTA #188732 v 1.1010

DECLARATION AND POWER OF ATTORNEY

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Yonhua Tzeng

Inventor's Signature: *Yonhua Tzeng*
Date: *2/10/2000* Country of Citizenship: *U.S.A.*
Residence: 306 Graystone Lane, Auburn, Alabama 36830
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Docket No. A029 1080

ATLANTA #185732 v 1.1010

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WOMBLE CARLYLE

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER OF PATENTS
Washington, D.C. 20231

Practitioner's Docket No. **A029 1080**

Applicant	Yonhua Tzeng	<input type="checkbox"/> Patentee
Application No.	Filed Herewith	<input type="checkbox"/> Patent No.
Filed on	February 10, 2000	<input type="checkbox"/> Issued on

Title: METHOD OF PLASMA ENHANCED CHEMICAL VAPOR DEPOSITION OF DIAMOND

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(d))—
NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

below:
Name of Nonprofit Organization: Auburn University
Address of Nonprofit Organization: 309 Sanford Hall
Auburn University, Alabama 36849-5178

TYPE OF NONPROFIT ORGANIZATION

- ☐ **University or Other Institution of Higher Education**
- ☐ **Tax Exempt Under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))**
- ☐ **Nonprofit Scientific or Educational Under Statute of State of the United States of America**
(Name of State)
(Citation of Statute)
- ☐ **Would Qualify as Tax Exempt Under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)), if located in the United States of America**
- ☐ **Would Qualify as Nonprofit Scientific or Educational Under Statute of State of the United States of America if located in the United States of America**
(Name of State)
(Citation of Statute)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization, as defined in 37 CFR 1.9(e), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, with regard to the invention described in

- ☒ the specification filed herewith, with title as listed above.
☐ the application identified above.
☐ the patent identified above.

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WOMBLE CARLYLE

I hereby declare that rights under contract or law have been conveyed to, and remain with, the nonprofit organization, with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. 1.5(c), if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.5(d), or a nonprofit organization under 37 CFR 1.5(e)

NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention owing to their status as small entities. (37 CFR 1.27).

Each such person, concern or organization having any rights in the invention is listed below:

☐ No such person, concern, or organization exists.
☐ Each such person, concern or organization is listed below.

Name
Address

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

Name
Address

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: C. Michael Moriarty
Title in Organization: Associate Provost and Vice President for Research
Address of Person Signing: Auburn University
 305 Sanford Hall
 Auburn University, Alabama 36849-5176

SIGNATURE:

CMY color

Date:

2/10/05